

EXHIBIT 3

M. Parrott

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

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ELIZABETH SINES, et al.,

Plaintiffs,

Civil Action No.

v.

3:17-cv-00072-NKM

JASON KESSLER, et al.,

Defendants.

-----x

VIDEOCONFERENCE DEPOSITION OF

MATTHEW DAVID PARROTT

Paoli, Indiana

Friday, June 26, 2020

Reported by:

DEBORAH C. FUREY, RPR, CLR, CRI

JOB NO. 180624

<p style="text-align: right;">Page 282</p> <p>1 M. Parrott</p> <p>2 screenshots of text messages, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And how did you choose which 30</p> <p>5 screenshots to produce to us?</p> <p>6 A. I went back through my text messages and</p> <p>7 found the messages that I believe pertained to</p> <p>8 communications with the Unite the Right event.</p> <p>9 Q. But how did you decide what pertained to</p> <p>10 Unite the Right? Did you read every single text</p> <p>11 message? Did you use search terms? How did you</p> <p>12 filter?</p> <p>13 A. Because I don't communicate beyond my</p> <p>14 friends and family on my phone, it was a rather</p> <p>15 simple task of right around Unite the Right, there</p> <p>16 was an explosion of these messages from strange</p> <p>17 phone numbers that I knew pertained to Unite the</p> <p>18 Right.</p> <p>19 Q. Okay. But this was -- what we're</p> <p>20 looking at in Exhibit 35 are the total documents</p> <p>21 that you produced to us in April of 2018, correct?</p> <p>22 A. I only see one screenshot here, but I do</p> <p>23 remember taking several dozens of screenshots of</p> <p>24 the conversations and sending them to you, and</p> <p>25 being satisfied that I had sent all of my text</p>	<p style="text-align: right;">Page 283</p> <p>1 M. Parrott</p> <p>2 communications pertaining to Charlottesville.</p> <p>3 Q. Okay. And this was your effort to</p> <p>4 respond to our document request in April of 2018,</p> <p>5 correct?</p> <p>6 A. Yes.</p> <p>7 Q. Do you agree, Mr. Parrott, that you did</p> <p>8 not produce to us a single text message to or from</p> <p>9 Mr. Heimbach?</p> <p>10 A. I may or may not have. I don't recall</p> <p>11 that.</p> <p>12 Q. Well, why don't we quickly -- if you</p> <p>13 want -- do you want to look at this production to</p> <p>14 be able to answer whether or not you produced a</p> <p>15 single text message from Mr. Heimbach?</p> <p>16 A. Are you asking me to look at my phone</p> <p>17 versus this? I will take your word if you insist</p> <p>18 that I did not send any communication between me</p> <p>19 and Heimbach.</p> <p>20 Q. I don't want you to take my word. I'm</p> <p>21 looking for your testimony.</p> <p>22 Do you agree that, when you made this</p> <p>23 document production in April 2018, you did not, in</p> <p>24 fact, produce a single text message to or from</p> <p>25 Matthew Heimbach?</p>
<p style="text-align: right;">Page 284</p> <p>1 M. Parrott</p> <p>2 A. I don't know. That seems peculiar. I</p> <p>3 don't recall failing to do that.</p> <p>4 Q. Do you agree that you did not produce to</p> <p>5 us a single text message to or from Derrick Davis?</p> <p>6 A. I don't know whether I had a text</p> <p>7 message with Mr. Davis.</p> <p>8 Q. Do you agree you did not produce to us a</p> <p>9 single text message to or from Jason Augustus?</p> <p>10 A. That is quite likely.</p> <p>11 Q. Do you know if you produced a single</p> <p>12 text message from any TWP member?</p> <p>13 A. I believe I produced Tony's text</p> <p>14 messages. I do not know who I -- I do not recall</p> <p>15 who I sent messages from. It was years ago.</p> <p>16 Q. In October -- sorry.</p> <p>17 When you say Tony, Tony Hovater?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. In October of 2018, you were</p> <p>20 ordered to produce your phone to a vendor for</p> <p>21 imaging, right?</p> <p>22 A. Yes.</p> <p>23 Q. And you did produce the phone to the</p> <p>24 vendor, right?</p> <p>25 A. Yes, I did.</p>	<p style="text-align: right;">Page 285</p> <p>1 M. Parrott</p> <p>2 Q. And that's the Nokia phone that we've</p> <p>3 been talking about?</p> <p>4 A. Yes.</p> <p>5 Q. Did you produce to the vendor the same</p> <p>6 phone that you pulled these text messages from</p> <p>7 that we see in Exhibit 35?</p> <p>8 A. Yes.</p> <p>9 Q. Before you produced the phone to the</p> <p>10 vendor, did you delete any text messages?</p> <p>11 A. I do not believe so.</p> <p>12 Q. Can you be sure that you did not delete</p> <p>13 any text messages from your phone?</p> <p>14 A. My only concern is I might have deleted</p> <p>15 Mr. Heimbach or Jessica White's messages</p> <p>16 pertaining to my divorce. But I am confident that</p> <p>17 that would be the scope of my message deletion.</p> <p>18 Q. Do you think it's possible you deleted</p> <p>19 the text messages that you exchanged with</p> <p>20 Mr. Heimbach?</p> <p>21 A. Yes, that is possible.</p> <p>22 Q. And we're talking about all --</p> <p>23 withdrawn.</p> <p>24 You're saying it's possible you deleted</p> <p>25 all text messages between you and Heimbach from</p>

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2 the phone that you produced to the vendor,

3 correct?

4 A. Yes, correct.

5 Q. And when is it that you think you may

6 have deleted all text messages between you and

7 Mr. Heimbach from your cell phone?

8 A. If that occurred, it would have been

9 directly after the trailer park incident in which

10 I was very distraught.

11 Q. Okay. So you're saying you may have

12 deleted all text messages between you and

13 Mr. Heimbach after March of 2018 from your cell

14 phone, correct?

15 A. Correct.

16 Q. Mr. Parrott, you did delete all text

17 messages with Mr. Heimbach after March of 2018,

18 didn't you?

19 A. I don't know the answer to that

20 question. I honestly don't. I believe we've

21 pulled the direct cell phone tower records that we

22 could perhaps review and compare them.

23 Q. What do you mean "cell phone tower

24 records"?

25 A. Well, AT&T has been subpoenaed to

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1 M. Parrott

2 Q. Is it possible that you deleted all text

3 messages prior to November of 2017 that concerns

4 Unite the Right?

5 A. It would have been all text messages

6 with Mr. Heimbach at the time of the trailer park

7 incident.

8 Q. The text messages that we see right now

9 on the screen, Exhibit 35, are those text messages

10 still in your phone?

11 A. They should be. I can look right now.

12 Q. Well, you're aware that the vendor

13 didn't even find these text messages on your

14 phone?

15 A. That would be a failure on the vendor's

16 part, if that's the case.

17 Q. Well, did you delete text messages

18 between you and any other TWP member at all?

19 A. Other than Mr. Heimbach and the former

20 Ms. Parrott, no.

21 Q. So you also deleted text messages

22 between you and -- is it Jessica Parrott?

23 A. Formerly Jessica Parrott.

24 Q. But you also deleted text messages

25 between you and formerly Jessica Parrott?

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1 M. Parrott

2 actually receive my SMS phone records for the

3 relevant timeframe, which would allow us to find

4 out whether Mr. Heimbach's text messages have been

5 deleted or not.

6 Q. Okay. Well, you're aware that, when the

7 vendor imaged your phone after you produced it,

8 the vendor actually didn't find a single text

9 message from prior to November of 2017 that

10 concerned Unite the Right, correct?

11 A. We see these text messages right here.

12 I'm confident that the phone contained and

13 continues to contain a variety of messages

14 pertaining to Unite the Right.

15 Q. Well, to be clear, what we see on the

16 screen right now is Exhibit 35, right?

17 A. Yes.

18 Q. And these are screenshots of what you

19 produced to us from your laptop, right?

20 A. Yes.

21 Q. But when the phone was given to the

22 vendor to image, you're aware that the vendor did

23 not find a single text message concerning Unite

24 the Right prior to November of 2017?

25 A. That is possible.

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1 M. Parrott

2 A. Yes.

3 Q. And you did that before you turned the

4 phone over to the vendor in this case?

5 A. Yes. It was before I turned the phone

6 over to the vendor.

7 Q. And the text messages with Mr. Heimbach

8 that you deleted, that happened before you turned

9 the phone over to the vendor, correct?

10 A. That is correct.

11 Q. Now, you also disclosed another phone

12 number on one of your certifications, correct?

13 A. Yes.

14 Q. And that phone number is 812-865-5512,

15 right?

16 A. Yes.

17 Q. And what phone number is that?

18 A. That, I'm forgetting exactly how that

19 played out, but with the Google Voice, you have

20 your real phone number behind your phone number

21 and then your Google Voice phone number.

22 Q. So is there a phone associated with the

23 812 number?

24 A. The Nokia.

25 Q. Okay. So that phone number is also

<p style="text-align: right;">Page 290</p> <p>1 M. Parrott</p> <p>2 associated with the same phone that your 8282</p> <p>3 number is associated with, correct?</p> <p>4 A. That is correct.</p> <p>5 Q. The 812 number is a Google Voice</p> <p>6 number?6. The 317, my main number that I did my</p> <p>7 text communication with is the Google Voice</p> <p>8 redirection number. The 812 number is the actual</p> <p>9 cell phone tower, AT&T number.</p> <p>10 Q. Okay. So if I called your cell phone</p> <p>11 right now, I would call the 812 number?</p> <p>12 A. No. Everyone is to call the 317 number.</p> <p>13 It would ring at this phone number. Either one</p> <p>14 would work, actually.</p> <p>15 Q. Okay. Well, did you text with</p> <p>16 Mr. Kessler using the 812 number?</p> <p>17 A. I don't believe so, no.</p> <p>18 MR. BLOCH: Emily, can we show the next</p> <p>19 exhibit?</p> <p>20 (Exhibit 36 Parrott, Text messages,</p> <p>21 11-22-17, no Bates stamps, was</p> <p>22 marked for the purposes of</p> <p>23 identification.)</p> <p>24 MR. BLOCH: I'm sorry. I'm looking for</p> <p>25 Tab 11. It's my fault.</p>	<p style="text-align: right;">Page 291</p> <p>1 M. Parrott</p> <p>2 Q. Do you see what's on the screen,</p> <p>3 Mr. Parrott, marked Exhibit 36?</p> <p>4 A. Yes.</p> <p>5 Q. And are these text messages that you</p> <p>6 exchanged with Jason Kessler?</p> <p>7 A. Yes, they are.</p> <p>8 Q. And you're aware that Mr. Kessler's</p> <p>9 number is 434-996-5567?</p> <p>10 A. That sounds correct.</p> <p>11 Q. And you were texting him from your 812</p> <p>12 number, correct?</p> <p>13 A. Yes.</p> <p>14 Q. And can you just explain why that is?</p> <p>15 A. If you don't have wi-fi or data service,</p> <p>16 and I believe I was in the hospital, it says "Wife</p> <p>17 delivering" right there, and that's on my</p> <p>18 daughter's birthday, November 22nd. I believe I</p> <p>19 completely lacked a data signal at all, which</p> <p>20 requires you to fall back on your actual phone</p> <p>21 number.</p> <p>22 Q. Okay. What is it -- you say in the last</p> <p>23 text, "Will you accept \$200 in Bitcoin," correct?</p> <p>24 A. Yes.</p> <p>25 Q. What is it that you were paying</p>
<p style="text-align: right;">Page 292</p> <p>1 M. Parrott</p> <p>2 Mr. Kessler for?</p> <p>3 A. I do not recall.</p> <p>4 Q. No idea?</p> <p>5 A. I don't have any idea whatsoever. I</p> <p>6 don't recall what I was paying him for.</p> <p>7 Q. Okay. Other than the -- well, did you</p> <p>8 ever have a disposable burner phone?6. I did</p> <p>9 purchase a second phone while -- during the two</p> <p>10 separate six-week incidents where IDS Solutions</p> <p>11 had my primary phone, so that I could do my day</p> <p>12 job. And I still possess that phone. It's</p> <p>13 currently deactivated.</p> <p>14 Q. Okay.</p> <p>15 MR. BLOCH: Can we look at Tab 14?</p> <p>16 (Exhibit 37 Parrott, Twitter tweet,</p> <p>17 2-22-19, Bates stamped</p> <p>18 NOCUSTODIAN00002592, was marked for</p> <p>19 the purposes of identification.)</p> <p>20 Q. Mr. Parrott, I'm showing you what I</p> <p>21 believe is marked Exhibit 37.</p> <p>22 And is this a tweet by you?</p> <p>23 A. Yes.</p> <p>24 Q. And you say at the bottom, "Fedposts</p> <p>25 come at me on Facebook messenger, teacup</p>	<p style="text-align: right;">Page 293</p> <p>1 M. Parrott</p> <p>2 pomeranians with funny captions come at me on</p> <p>3 Signal on a disposable burner phone."</p> <p>4 A. I was making a joke, indicating that</p> <p>5 disposable burner phones are a thing that</p> <p>6 people -- people use.</p> <p>7 Q. Okay. But you, yourself have never used</p> <p>8 one?</p> <p>9 A. I, myself, have never used a disposable</p> <p>10 burner phone.</p> <p>11 Q. Now, your e-mail account is</p> <p>12 parrott.matt@gmail.com, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And are you the only person that had</p> <p>15 access to that account?</p> <p>16 A. Yes.</p> <p>17 Q. And you used that to communicate about</p> <p>18 Unite the Right, correct?</p> <p>19 A. I believe so.</p> <p>20 Q. Have you ever deleted any e-mails</p> <p>21 generated about Unite the Right from that e-mail</p> <p>22 account?6.</p> <p>23 Q. Do you agree that, in that initial</p> <p>24 production that we looked at in April, 2018, you</p> <p>25 didn't send us a single e-mail from that account?</p>